

REMARKS

Claims 1 and 3-9 are pending in the present application. Claims 1 and 3-7 are rejected. Claim 1 is herein amended. Claims 8 and 9 are herein cancelled without prejudice.

Applicants' Response to Restriction/Election

The Office Action states that claims 8 and 9 are drawn to an invention that is independent or distinct from the invention originally claimed. Specifically, claims 1 and 3-7 are drawn to a toilet apparatus, while claims 8 and 9 are drawn to a method of cleaning a toilet. The Office Action states that the process/method as claimed can be practiced by a materially different apparatus, such a controlled sprayer. Accordingly, claims 8 and 9 are withdrawn from consideration. In response, Applicants herein cancel claims 8 and 9 without prejudice. Applicants retain the right to file a divisional application directed to the method claims.

Applicants' Response to Objections to the Specification

The Office Action objects to the specification as failing to provide proper antecedent basis for the claimed subject matter. Specifically, the Office Action states that the specification does not recite "a switch for flushing" and a "switch for cleaning."

In fact, the specification discloses a switch for cleaning 129a and a switch for toilet washing 129b. These switches are discussed in detail at page 29, line 14 to page 32, line 10. However, in order to utilize more common English language, "washing" was changed to

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“flushing.” Thus, the specification does in fact disclose two switches: a switch for cleaning and a switch for “washing,” or flushing.

However, in order to comply with 37 CFR 1.75(d)(1), Applicants herein make appropriate amendment of the specification, since nomenclature is departed from by amendment of the claims. Thus, Applicants respectfully submit that the pending claims have clear support or antecedent basis in the specification for the terms appearing in the claims. Favorable reconsideration is respectfully requested.

Applicants’ Response to Claim Rejections under 35 U.S.C. §102

Claims 1 and 3-7 are rejected under 35 U.S.C. §102(b) as being anticipated by Makita et al. (U.S. Patent No. 5,204,999).

It is the position of the Office Action that Makita discloses the invention as claimed. In the previous amendment, Applicants submitted that the present invention distinguishes over the cited art at least in that the present invention includes two switches: a switch for cleaning and a switch for flushing. However, it is the position of the Office Action that “Makita’s switch is a switch for flushing and [a] switch for cleaning, as operation thereof delivers water to the bowl usable in flushing/cleaning operations.” Please see column 8, lines 22-68, which discuss that water flows to both the rim portion and jet portion upon operation of this switch.

Makita discloses that a toilet is flushed after use by flushing water in the order of rim-jet-rim. However, Makita does not disclose the flow of water in the case of cleaning the toilet with a brush, etc. Rather, Makita only discloses the flow of water in the case of flushing the toilet after

use. However, when the toilet is not flushed, there is trapped water W. Conventionally, when a user cleans a toilet with a brush, there is trapped water W. Undesirably, a splattering of water sometimes occurs and gets on the user.

On the other hand, the present invention discloses both a switch for flushing and a switch for cleaning, operated by the user when cleaning the toilet with a brush. When comparing the disclosure at page 30, lines 17 to 23 of the specification, as amended, with the disclosure at page 31, line 22 to page 32, line 2 of the specification, as amended, it is clear that the “switch for flushing” is a switch for flushing excretion by running water in the toilet after use and the “switch for cleaning” is a switch for cleaning the toilet by running water in the toilet.

In the present invention, the result of operating the “switch for cleaning” is explained in the specification, as amended, at page 32, line 8 to page 33, line 21. Specifically, by performing “jet wash mode 2” in 25 seconds, trapped water W remains discharged. Thus, a user will not be splattered with trapped water W when cleaning with a brush. Accordingly, the user can elaborately clean the bowl face of the toilet without worry of being splattered with trapped water W. Please see page 33, line 16-21 of the specification as amended. Accordingly, Applicants respectfully submit that claim 1, as amended, distinguishes over Makita.

Additionally, Applicants respectfully submit that because Makita only discloses this switch for flushing, the user of the toilet of Makita is not able to easily wash the bowl with a brush while the trapped water W is discharged. In order to discharge trapped water W for long enough to wash the bowl with a brush, the user must continually operate the flush switch of Makita. Not only is this an inconvenience to the user, but it also causes excessive wasting of

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water, a limited natural resource. Accordingly, Applicants respectfully submit that Makita does not disclose or suggest the invention as claimed. Favorable reconsideration is respectfully requested.

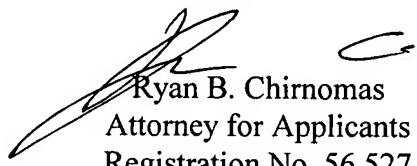
For at least the foregoing reasons, the claimed invention distinguishes over the cited art and defines patentable subject matter. Favorable reconsideration is earnestly solicited.

Should the Examiner deem that any further action by applicants would be desirable to place the application in condition for allowance, the Examiner is encouraged to telephone applicants' undersigned attorney.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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